

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

GLORIA PUMPHREY and
ANGALYN JONES, for themselves and on
behalf of all similarly situated individuals,

Plaintiffs,

v.

CIVIL ACTION NO.3:11cv574

EXPERIAN INFORMATION SOLUTIONS, INC.,

Defendants

PLAINTIFFS' FED. R. CIV. P. 26(a)(1) DISCLOSURES

COMES NOW the Plaintiffs, by counsel, and pursuant to Fed. R. Civ. P. 26(a)(1), and make the following disclosures to Defendants. These initial disclosures are based on information reasonably available to Plaintiffs at this time. Plaintiffs reserve the right to supplement these initial disclosures (either through express supplements to these disclosures or through responses to formal discovery) when additional information becomes available.

In making these initial disclosures, Plaintiffs do not waive the right to object on the grounds of competency, privilege, relevancy and materiality, hearsay or any other proper ground to the use of any such information, for any purpose, in whole or in part, and this action or any other action. Plaintiffs also do not waive the right to object to any request for production of any document, electronically stored information, or tangible thing on the basis of any privilege, the work product doctrine, evidentiary exclusion, relevancy, undue burden or any other proper ground.

I. Individuals likely to have discoverable information.

- A. The Plaintiff, GLORIA PUMPHREY c/o Consumer Litigation Associates, P.C., 763 J. Clyde Morris Boulevard, Suite 1-A, Newport News, VA 23601.
- B. The Plaintiff, and ANGALYN JONES c/o Consumer Litigation Associates, P.C., 763 J. Clyde Morris Boulevard, Suite 1-A, Newport News, VA 23601.
- C. Evan Hendricks, 8321 Tomlinson Avenue, Bethesda, MD 20817 (All facts concerning his expert opinion and expert report in this matter concerning the credit reporting industry practices and standards in connection with the public records information, the automated reinvestigation or consumer disputes, and FCRA disclosure practices by other CRA's).
- D. Andy W. Klaer, LexisNexis, 1100 Alderman Drive, Alpharetta, GA 30005 (All facts regarding LexisNexis' business activities and relationship with Experian in connection with public records and public records disputes).
- E. Corporate Representative, LexisNexis, 1100 Alderman Drive, Alpharetta, GA 30005 (All facts regarding LexisNexis' business activities and relationship with Experian in connection with public records and public records disputes).
- F. Mark Johnson or other Corporate Representative, LexisNexis, 1900 Northwest Expressway, Suite 1600, Oklahoma City, OK 73118 (LexisNexis' successor corporation is expected to testify about LexisNexis' business activities and relationship with Experian in connection with public records and public records disputes).
- G. Ken Mittendorf, Assistant Director of the Department of Judicial Information Technology for the Executive Secretary of the Supreme Court of Virginia, 100 North Ninth Street, Richmond, VA (All facts regarding his overseeing and maintaining the electronic records system for Virginia Courts, including General District Courts in the City of Richmond or the City of Roanoke. All facts regarding the previous bulk sales of judgment records. All facts concerning his knowledge of the manner in which the major data collectors communicate with the court systems).
- H. Denise Hains, Retired Clerk for the Newport News General District Court, Civil Division (All facts regarding her general knowledge of the online records system utilized by the General District Courts).
- I. Sandra Cox Blount, Clerk of the Richmond General District Court, John Marshall Courts Building, 400 N. 9th Street, Room 203, Richmond, VA 23219 (All facts regarding her general knowledge of the online records system utilized by the Richmond General District Court).

J. Carlton L. Hudson, Clerk of the Chesterfield General District Court, 9500 Courthouse Road, Chesterfield, VA 23832-0144. (All facts regarding his general knowledge of the online records system utilized by the Chesterfield General District Court).

K. Ruth Perecko Barnhardt (Strawbridge), Independent Database Consultant, (757) 630-9616 (All facts regarding her expert witness analysis of records of the Supreme Court of Virginia).

L. Employees of Capital One Bank (All facts regarding that certain judgment obtained against Plaintiff, Gloria Pumphrey, in favor of Capital One Bank, including the notice of satisfaction of same).

M. Employees of Chesterfield Auto Finance, Inc. (All facts regarding that certain judgment obtained against Plaintiff, Angalyn Jones, in favor of Chesterfield Auto Finance, Inc., including the notice of satisfaction of same).

N. The Clerks of each court and all agents, employees and/or representatives of the Clerks of each Court which was the original source of any derogatory public record information concerning any Plaintiff and/or any putative class member reported by Defendant and/or any predecessor of Defendant to any user of any consumer report on any Plaintiff and/or putative class member.

O. All agents, employees and/or representatives of each other entity that was the original source of any derogatory public record information concerning any Plaintiff and/or any putative class member reported by Defendant and any predecessor of Defendant to any user of any consumer report on any Plaintiff and/or putative class member.

P. Putative Class Members. (All facts).

Q. The spouse, partner or significant other and all family members, friends and associates of each plaintiff and each putative class member. Counsel has not identified all such persons, and as to those who have been identified, counsel has not yet decided which of these persons they may call as witnesses. (All facts, including but not limited to all facts related to damages).

R. Any and all witnesses identified by the Defendant.

S. Any and all witnesses who have testified regarding similar claims in previous litigation.

II. Description of documents in possession of the Plaintiff.

a. Experian Consumer Disclosures with regard to each Plaintiff.

- b. ACDV's related to the Plaintiffs' disputes produced by the Defendant;
- c. Relevant Policy and Procedures Manuals produced by the Defendant;
- d. Documents and depositions available from Defendants or other parties from previous litigation;
- e. Experian contracts with LexisNexis.
- f. Long Admin Reports for all Plaintiffs and putative class members.
- g. Communication between Experian, Trans Union, Equifax and/or CDIA.
- h. Communication between Plaintiffs and Experian.
- i. Communication between LexisNexis and Experian.
- j. Depositions of Mark Jones, Mamiko Barnard, Ken Mittendorff, and David Savage, taken in *Soutter v. Equifax*, 3:10cv107.
- k. Databases of Virginia General District Court judgment history obtained from Executive Secretary of Supreme Court of Virginia.
- l. Correspondence from third parties regarding release of garnishment.
- m. Documents regarding credit denials.

III. Computation of Damages

A. Class Claims

Pursuant to 15 U.S.C. §1681n, Plaintiffs and each class member seek statutory damages from \$100.00 and \$1,000.00 per violation, punitive damages in an unliquidated amount; and for attorneys fees and costs.

Plaintiff further seeks these damages individually and on a class basis.

Plaintiff reserves the right to supplement these disclosures.

GLORIA PUMPREY and
ANGALYN JONES,

By /s/
Leonard A. Bennett, Esq., VSB #37523
Attorney for Plaintiff
CONSUMER LITIGATION ASSOCIATES, P.C.
763 J. Clyde Morris Boulevard, Suite 1-A
Newport News, VA 23601
(757) 930-3660 – Telephone
(757) 930-3662 – Facsimile
lenbennett@clalegal.com

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of March, 2012, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Daniel J. McLoon (pro hac vice)
Jones Day
555 South Flower Street, Fiftieth Floor
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GLORIA PUMPREY and
ANGALYN JONES,

By _____ /s/
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